

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CASE NO. 5:20-CV-00123-FL

KELLY STAFFORD; GRASS ROOTS  
NORTH CAROLINA; SECOND  
AMENDMENT FOUNDATION; and  
FIREARMS POLICY COALITION,  
INC.,

Plaintiffs,

v.

GERALD M. BAKER, in his official  
capacity as Sheriff of Wake County,  
North Carolina,

Defendant.

**DEFENDANT'S MOTION FOR  
EXTENSION OF TIME TO RESPOND TO  
PLAINTIFF'S REPLY TO DEFENDANT'S  
MOTION TO DISMISS**

Defendant, by and through the undersigned attorney, hereby moves the court for an extension of time in which to file, if necessary, a reply brief concerning Defendant's previously filed Motion to Dismiss. The undersigned was engaged by Defendant to be counsel of record on June 30, 2020, and has not had a sufficient amount of time in which to become familiar with the issues in the case or to adequately review the response filed by the Plaintiff to the Motion to Dismiss. Defendant believes that an additional 14 days would provide adequate time to review the case and pleadings and file, if necessary, any reply brief. Plaintiffs' response brief was served on June 18, 2020, and pursuant to the local rules of procedure, any reply would be due on July 2, 2020. Plaintiff consents to this request.

Wherefore, Defendant respectfully requests to be granted until July 16, 2020, in which to file, if necessary, a reply brief regarding his Motion to Dismiss.

This the 2<sup>nd</sup> day of July, 2020.

**POYNER SPRUILL LLP**

By: /s/ J. Nicholas Ellis  
J. Nicholas Ellis  
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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, pursuant to the provisions of Rule 5 of the Federal Rules of Civil Procedure, on this date a copy of the foregoing was served upon the party herein by United States Mail, first class, postage prepaid, addressed to the following party:

Edward H. Green, III Coats & Bennett, PLLC 1400 Crescent Green, Suite 300 Cary, NC 27518 <a href="mailto:Egreen3@coatsandbennett.com">Egreen3@coatsandbennett.com</a>	Raymond M. DiGuiseppi The DiGuiseppi Law Firm, P.C. 4320 Southport Supply Road, Suite 300 Southport, NC 28461 <a href="mailto:law.rmd@gmail.com">law.rmd@gmail.com</a>
Adam Kraut Firearms Policy Coalition 1215 K Street, 17 <sup>th</sup> Floor Sacramento, CA 95814 <a href="mailto:akraut@fpclaw.org">akraut@fpclaw.org</a>	

This the 2<sup>nd</sup> day of July, 2020.

**POYNER SPRUILL LLP**

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